



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

April 13, 2018

Mr. Ryan Lee Zater
Federal Correctional Institution
P.O. Box 779800
Miami FL 33177

Re: Ryan L. Zater v. State
Appellate Case No. 2018-000611
Lower Court Case No. 2015CP3202363

Dear Mr. Zater:

This responds to your letter which was mailed to this Court on April 3, 2018. While I can find no record that this Court or the South Carolina Court of Appeals has received a notice of appeal from you prior to the receipt of your letter, this Court has now obtained a copy of your notice of appeal from the Lexington County Public Case Index along with a copy of the Conditional Order of Dismissal dated February 1, 2018, and the Dismissal Order dated February 22, 2018.

This case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of

personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at

www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

For this matter to proceed, you will need to provide this Court with the following within twenty (20) days of the date of this letter:

- (1) A proof of service showing that a copy of the notice of appeal has been served on the opposing counsel. The proof of service should be substantially in the form shown in the enclosure to this letter.¹
- (2) The order of the circuit court dated February 22, 2018, among other things, dismissed this post-conviction relief application as being untimely under the statute of limitations. Therefore, Rule 243(c), SCACR, requires you to provide a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

Very truly yours,



CLERK

Enclosure (Sample Proof of Service of a Notice of Appeal)

cc: Johanna Catalina Valenzuela, Esquire

¹ Your notice of appeal, which is dated March 1, 2018, shows a "cc" to Anthony Mabry. If a copy of the notice of appeal was in fact mailed to opposing counsel on that date, you may simply complete the proof of service to reflect this.